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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,695	12/09/2003	Michael B. McAvoy	030048124US	3269
25096	7590	11/01/2005		
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247			EXAMINER MANCHO, RONNIE M	
			ART UNIT 3663	PAPER NUMBER

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,695

Applicant(s)

MCAVOY, MICHAEL B.

Examiner

Ronnie Mancho

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-70 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-13 are drawn to a method for distributing electric power to a plurality of electrical devices in a vehicle, classified in class 323 subclass 209, 282.
 - II. Claims 14-17 are drawn to a method for distributing electric power to a plurality of electrical devices in an aircraft, classified in class 323, subclass 304, 279.
 - III. Claims 18-24 are drawn to a method for operating an electrical device classified in class 323, subclass 285, 313.
 - IV. Claims 25-27 are drawn to a computer implemented method for transmitting operating requests to at least first and second galley appliances on an aircraft classified in class 345, subclass 501.
 - V. Claims 28-32 are drawn to a computer readable medium including instructions method for distributing electric power to a plurality of electrical devices in a vehicle, classified in class 700/295, 323/283.
 - VI. Claims 33-36 are drawn to a computer readable medium including instructions method for operating an electrical device classified in class 323, subclass 314.
 - XII. Claims 62-66 are drawn to a system for distributing electric power to a plurality of electrical devices in an aircraft, classified in class 323, subclass 299.
 - XIII. Claims 67-70 are drawn to a system for operating an electrical device on an aircraft classified in class 323 subclass 276, 281.

Art Unit: 3663

- VII Claims 37-40 are drawn to a computer-readable medium for generating a display description configured to receive operating instructions for at least one galley appliance in an aircraft classified in class 345, subclass 522, 469.1, 467.
- VIII Claims 41-49 are drawn to an aircraft system classified in class 701/29; 700/297
- IX Claims 50-54 are drawn to a controller usable with galley appliances on an aircraft, classified in class 701/33; 700/300.
- X Claim 55 is drawn to a galley appliance for use in an aircraft classified in class 701/36; 700/300.
- XI Claims 56-61 are drawn to an appliance for use on an aircraft classified in class 323 subclass 271, 275.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions (I-VI, XII, XIII) and (VII-XI) are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the process for using the product as claimed can be practiced with another materially different product. That is the process can be practiced by hand instead of computers.

3. Inventions (I-VI, XII, XIII) are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case:

invention (I) is directed to power distribution generally in vehicles;

Art Unit: 3663

invention (II) is directed to a method of power distribution particularly in an aircraft involving comparing a first power request from one appliance to a second power request from a second appliance;

invention (III) is directed to a method for operating an electrical device;

invention (IV) is directed to a method a computer implemented method for transmitting power requests to appliances in an aircraft;

Invention (V) is related to a computer readable medium with instructions method for distributing power to devices in a aircraft., etc

All the inventions as disclosed above have separate utility. See MPEP § 806.05(d).

4. Inventions (VII-XI) are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case:

invention VII is drawn to a computer-readable medium for generating a display description configured to receive operating instructions for at least one galley appliance in an aircraft;

invention VIII is drawn to an aircraft system;

invention IX is drawn to a controller usable with galley appliances on an aircraft.

invention X is drawn to a galley appliance comprising a controller and a processor for use in an aircraft

invention XI is drawn to an appliance for use on an aircraft, the appliance comprising a simplified user interface.

All the inventions as disclosed above have separate utility. See MPEP § 806.05(d).

Art Unit: 3663

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

6. This application contains claims directed to the following patentably distinct species of the claimed invention:

Upon election of invention I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, or XIII the applicant is further required under 35 U.S.C. 121 to elect one of the following disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

- A. The embodiment of fig. 1.
- B. The embodiment of fig. 2.
- C. The embodiment of fig. 3.
- D. The embodiment of figs. 4A, 4B, 4C.
- E. The embodiment of fig. 5.
- F. The embodiment of fig. 6.
- G. The embodiment of fig. 7.
- H. The embodiment of fig. 8.

7. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Art Unit: 3663

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

8. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Communication

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 571/272/6984. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571/272/6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3663

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronnie Mancho
Examiner
Art Unit 3663

10/27/05

Mark Helms
Primary Examiner